

CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT)

Wednesday, March 31, 2004

Stephen P. Clark Center

Miami-Dade Commission Chambers

111 NW 1s Street

10:30 a.m.

Summary of Minutes

MEMBERS PRESENT:

Hon. John F. Cosgrove, Chairman
Marc A. Buoniconti
Franklin Kelly
Herminio Lorenzo
Hon. James Reeder
LtCol Antonio Colmenares

Hon. Mike Abrams
Harold Braynon, Jr.
Henry Lee Givens
Miles Moss
Theodore Wilde

COUNTY ATTORNEY

Bruce Libhaber

OTHERS PRESENT:

Hilda Fernandez, Executive Director, OCITT
David Carbonero, Southern Command
Luis Lugo, Citizen
Lilia Medina, City of Miami
Pepe Valdes, OCITT
Yvonne McDonald, Urban Empowerment
Jonathan Robertson, SFRTA

Patty David, OCITT
Joe Lepp, Citizen
Denise Sharpton, Citizen
Virginia Diaz, OCITT
Lottie Person, HOATA
Diana Gonzalez, MDT

ROLL CALL

With a quorum being present, Mr. John Cosgrove, Chairman of the CITT, called the meeting to order at 10:35 a.m.

APPROVAL OF AGENDA

Mr. Cosgrove requested a motion to approve the agenda. Mr. Henry Lee Givens moved to approve the agenda. The motion was seconded by Mr. Reeder and carried without dissent.

APPROVAL OF MINUTES – FEBRUARY 25, 2004

Mr. Cosgrove requested approval of the February 25, 2004, minutes. Mr. Givens moved to approve the minutes. The motion was seconded by Mr. Miles Moss and carried without dissent.

CITIZEN'S COMMENTS

Joe Lepp introduced himself as a volunteer for the Community Emergency Response Team (CERT) a Miami-Dade County Office of Emergency Management (OEM) program. OEM has developed a program that is designed to help neighborhoods prepare for and respond after catastrophic disasters, such as hurricanes. The County has developed a training course for anyone who would like to be a volunteer for CERT. Mr. Lepp provided copies of the CERT information and requested that they be distributed to the members.

PRESENTATIONS

Dr. Carlos Bonzon provided the members with an overview on Miami-Dade Transit's Request to Advertise for the Selection of one Program Management Consultant for the implementation of the PTP. He mentioned that the solicitation is currently under the Cone of Silence until the County Manager issues a

recommendation to the BCC. The County Manager will appoint a Selection Committee who will review the proposals and determine which firms will be invited to make a presentation at a public hearing. The Selection Committee will then recommend three firms to the County Manager who will make the final decision. The County Manager will then forward his decision to the Negotiation Committee who will negotiate a contract and then will be forwarded to the BCC for consideration and approval and subsequently to the CITT for consideration and approval. Dr. Bonzon explained the purpose and the scope of the contract. In addition, he stated that a copy of the County Manager's memorandum to the Board of County Commissioners further delineates the contract in detail. He emphasized that under the model developed and proposed for the Project Management Consultant, decisions will be made by County administrators, and the consultants will serve only to review and make recommendations on short and long-term transit and transportation planning for the implementation of the PTP.

LtCol Antonio Colmenares asked if the solicitation for a consultant was due to the County's lack of personnel with program management capabilities. Dr. Bonzon replied that building a rapid transit line requires a lot of specialized and technical skills which are difficult to recruit for. The consultant can provide staffing as required. Mr. Cosgrove mentioned that Dr. Bonzon has also included an analysis in the package comparing hiring in-house versus contracting personnel. He suggested that members review the contract since it will be discussed at a later date.

(Mr. Marc Buoniconti joined the meeting at 10:40 a.m.)

DEPARTMENT OF BUSINESS DEVELOPMENT (DBD)

Ms. Marsha Jackman, Executive Director, DBD, provided a Power Point presentation outlining in detail the various functions and responsibilities of DBD. Ms. Jackman stated that DBD's main mission is to create opportunities for small and minority firms in order for them to receive County contracts. With the following four divisions, DBD works closely with small businesses from start to finish: (a copy of the presentation was distributed).

- Business Assistance Division
- Business & Professional Development Assistance
- Contract Review and Compliance Division
- Professional Support Services Division

Ms. Jackman reported that the Annual Community Small Business Enterprise Conference is scheduled for April 16, 2004, at the Radisson Mart Hotel.

COMMITTEE REPORTS

Chairman's Report

Mr. Cosgrove mentioned that he met with the County Manager on various issues on behalf of the CITT, and he said the Manager has been very supportive and helpful with the Trust's requests. Mr. Cosgrove reported on the various issues: (a copy of his report was distributed)

- 1) Status of Financial Advisor solicitation –
 - Removed from the BCC Transportation Committee on March 11, 2004. Results in a 1 ½ to 2 month delay
 - New Solicitation has been developed; will require BCC action to issue
- 2) 90-Day Quarterly Report – a request was made to the acting BCC Chair to allow the report to be presented at the next BCC meeting under "Citizens Presentation."
- 3) A Joint meeting was requested with the Board of County Commissioners and the CITT.
- 4) Status on Amendment to Ordinance relating to the powers of the CITT.
 - Passed first reading; scheduled for public hearing May 20, 2004
 - It establishes a new process for amendments to the PTP

- The citizens were told of the process during the educational campaign leading up to the passage of the PTP tax.

Mr. Wilde asked if the CITT should take a position on the proposed amendment to the Ordinance next month. Mr. Cosgrove responded that it would be a good idea and would like to see what occurs at the BCC at public hearing reading.

EXECUTIVE DIRECTOR

Hilda Fernandez announced that the following documents have been distributed:

- CITT 90-Day Report from October 1, 2003 – December 31, 2003. The next report will cover the period from January – March 2004, and should be completed by April.
- Updated booklet “Conflict of Interest and Code of Ethics Ordinance”
- CITT Monthly Cash Analysis of Charter County Transit System Surtax – reflects year-to-date cumulative for a total of \$58,944,102.03 and a FY total of \$128,993,731.79. A concern was raised by OCITT staff regarding the Pro Forma, which reflected a projected revenue stream of \$162.9 million for the current fiscal year. Based on analysis done by staff on the actual distribution, the revised, projected revenue stream will be approximately \$150.6 million for the current fiscal year.
- CITT Revised the 2004 Meeting Calendar

Ms. Fernandez informed members that the OCITT Budget hearing is scheduled for April 6, at 2:00 p.m., with the Office of Strategic Business Management (OSBM), and all members are invited to attend. In addition, she stated that the OCITT office space reconfiguration is pending the permitting process by the City of Miami and that the OSBM will pay for the electrical reconfiguration fee for a total of \$84,000. The APTA conference is scheduled June 6 – 9, 2004. Registration forms will be forwarded to the members who would like to attend the conference.

Ms. Fernandez distributed and discussed the “Contract Approval Process and Timing” that was prepared by staff in response to inquiries from the CITT Trust members relating to the timing of CITT contract approvals. She stated that three different worksheets were prepared for comparison between old and new processes. She also noted that the CITT has been in existence for 10 months and is continuing to work the best process to facilitate the approval of items submitted to the CITT. Lastly, Ms. Fernandez stated, that at the request of the External Affairs Committee Members, a copy of the Gas Tax Report will be distributed once it is received. Mr. Cosgrove asked Ms. Fernandez to provide a copy of the timing analysis to the Board of County Commissioners and the County Manager and to post it on www.trafficrelief.com.

Mr. Moss made a motion to take agenda item 8D out of order. The motion was seconded by Mr. James Reeder and carried without dissent.

(Mr. Givens excused himself prior to deliberations on Agenda Item 8D)

8D RESOLUTION BY THE CITT APPROVING THE ACTION OF THE BCC IN AUTHORIZING THE EXECUTION OF A JOINT PARTICIPATION AGREEMENT WITH THE CITY OF MIAMI TO PARTICIPATE IN FUNDING THE CONSTRUCTION OF PTP ROADWAY IMPROVEMENTS ALONG GRAND AVENUE FROM SW 37 AVENUE TO MATILDA STREET

Ms. Fernandez stated that it is staff’s recommendation to approve the action of the BCC in awarding a JPA with the City of Miami to provide funding for the PWD PTP project: Grand Avenue, from 37th Avenue to Matilda Street. The item has been reviewed and forwarded with a favorable recommendation by the Compliance & Oversight and Budget & Finance Committees. The item was also deferred to the EPC by the Project Review Committee due to a lack of a quorum; all PRC members were invited to attend the EPC meeting of March 22, 2004. The item was discussed at length at the EPC meeting and the members

requested additional information from the PWD regarding the location of bus stops, lack of bus bays, and signalization related to school zones. As a result from the EPC meeting, an additional meeting with the City of Miami, Miles Moss, and Dr. Carlos Bonzon, Surface Transportation Manager, PWD, and OCITT staff was held to further discuss those issues that were raised at the EPC meeting regarding the project. The City of Miami agreed to review adding bus bays if necessary where existing off-street parking is proposed.

David Tinder, PWD PTP Coordinator, stated that the project has been ongoing for several years; it is a PTP project that is in the Ordinance. He understands that there are concerns regarding the bus bays and that has been discussed with the consultant and PWD staff, and they have indicated that there are several solutions.

Mr. Patrick Range stated that the Grand Avenue project has been on the table for seven years. There has been significant community involvement in the project. The project is a PTP project that has already been approved by the voters of Miami-Dade County. The project has also been reviewed by DBD. The project will be managed by the City of Miami, which has committed to contribute \$850,000 toward project enhancements. If the CITT approves the JPA, the City will put the item out to bid on April 2, 2004.

Mr. Moss stated that some of the members raised concerns whether this PTP project would provide the neighborhood improvements and relief of traffic congestion that the PTP envisioned. The project reduces the lanes from four to two, and without bus pull out bays, the lane reductions could delay traffic instead of improving traffic. If the desire of the community is to discourage traffic commuters from the area, he would support the project, but would suggest inclusion of bus pull out bays which may result in an additional cost for redesign. He further stated that the BCC only approved the JPA and did not approve the design of the project. He asked the County Attorney's Office if the CITT could take some action to include bus pull out bays that would allow the BCC to take action to approve an additional expense for redesign without causing a delay.

Mr. Bruce Libhaber, Assistant County Attorney replied that the JPA could be modified if the County pays for the increase. If the Trust were to place a condition on the approval of the JPA, however, it would be deemed a rejection of the JPA and would need to go back to the BCC. If the City voluntarily proceeded to incorporate this recommendation, then it would not need to go back to the Trust nor the BCC. He noted that the City would not be bound to anything that is not outlined in the JPA or by the BCC. Mr. Wilde added that the City of Miami could pay for the increase with their portion of the 20% surtax proceeds.

Lilia Medina, City of Miami Transportation Coordinator, added that the project has had extensive review on some of the proposals for bus bays and found that if they added bus bays at Grand Avenue, then parking would have to be eliminated. James Grant, Traffic Engineer for the City of Miami, stated that bus bays were reviewed and it was determined that to go back and put them in would take-up one fourth of the available parking. The biggest problem in going back to place bus bays is that it would affect ADA issues along the sidewalks, and it is not a simple addition or change; it would require re-engineering of the roadway, and that does not seem reasonable for a route that only has two buses per hour.

Mr. Reeder moved the approval of item 8D. The motion was seconded by LtCol Colmenares and upon being put to vote, the vote was approved by the following members: John Cosgrove, Marc Buoniconti, Mike Abrams, Harold Braynon, Frank Kelly, Herminio Lorenzo and Miles Moss. Theodore Wilde was the one dissenting vote. The resolution was approved.

(Mr. Givens rejoined the meeting at 12:20 p.m.)

BUDGET & FINANCE COMMITTEE – THEODORE WILDE

Mr. Wilde provided a report on the Budget and Finance Committee that outlined the following discussions: (a copy of the report was included in the agenda package)

- Reimbursement Request by Miami-Dade Transit

- Amendment of the PTP to include certain PWD activities

PROJECT REVIEW COMMITTEE – LTCOL ANTONIO COLMENARES

LtCol Colmenares stated that the committee did not have a quorum. However, presentations were given by the City of Miami and North Miami Beach. He further informed the members that he conducted a site visit to some of the PTP neighborhood improvement projects in the City of Hialeah, and he congratulates them for continuing to do good work. However, he noted a concern regarding the manner in which the City performs competitive bidding, and that issue was discussed at the Compliance & Oversight Committee meeting. Lastly, he noted that he had an opportunity to tour the MDT Metrorail and Metromover Rehab Centers and was very impressed with their work.

EXTERNAL AFFAIRS COMMITTEE – MARC A. BUONICONTI

Mr. Marc Buoniconti announced that at Mr. Luis Morse's request, he would chair the meeting while Mr. Morse attends the Legislative Session in Tallahassee. Mr. Buoniconti provided a report on the External Affairs Committee. (a copy of the report was included in the agenda package)

COMPLIANCE & OVERSIGHT – HENRY LEE GIVENS

Mr. Givens provided the members with a report on the Compliance & Oversight Committee. (a copy of the report was included in the agenda package) In addition, he asked Ms. Fernandez to update the members regarding the meeting with Mayor Raul Martinez, City of Hialeah. Ms. Fernandez stated that Mr. Givens, Mr. Lorenzo, and she met with Mayor Raul Martinez and discussed the concerns raised regarding the MOU for NW 62 Avenue relating to the PTP public works project. After discussion with the Mayor, staff was instructed to prepare a resolution supporting the PWD's recommendation to eliminate the small business measures that were established for this MOU. If approved by the DBD Review Committee, the PWD's recommendation to eliminate all measures will be presented to the BCC for approval on April 13, 2004. Mr. Lorenzo added that the City has made a lot of progress and would recommend supporting the resolution.

RESOLUTION BY THE CITT SUPPORTING THE PWD RECOMMENDATION TO ELIMINATE THE PREVIOUSLY APPROVED COMMUNITY SMALL BUSINESS ENTERPRISE (CSBE) AND COMMUNITY WORKFORCE PROGRAM (CWP) GOALS REQUIREMENT FROM THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF HIALEAH AND MIAMI-DADE COUNTY.

Mr. Lorenzo moved to approve the resolution. The motion was seconded by Mr. Kelly and carried without dissent.

(LtCol Colmenares excused himself at 12:30 p.m.)

FINANCIAL ADVISOR – MIKE ABRAMS

Mr. Abrams updated the members on the request for a Financial Consultant. He stated that the County Manager's Selection Committee unanimously voted to reject both proposals and request the BCC to approve re-advertising for the Financial Consultant. He stated that he was surprised by the BCC's decision not to consider the re-issue in a timelier manner. Mr. Cosgrove explained that the Executive Planning Committee asked the OCITT Executive Director to pursue the hiring of temporary staff while continuing to proceed with the RFP. Mr. Moss moved to reallocate vacant OCITT positions to retain a temporary budget/finance type position to assist staff until a financial consultant is obtained. The motion was seconded by Mr. Reeder and carried without dissent.

8A/B RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) APPROVING THE ACTION OF THE MIAMI-DADE BOARD OF COUNTY COMMISSIONERS OF AWARING CONTRACT NO. TA02-MPR TO PROVIDE MARKETING AND PUBLIC RELATIONS SERVICES TO KELLY SWOFFORD, INC.

RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) APPROVING THE ACTION OF THE MIAMI-DADE BOARD OF COUNTY COMMISSIONERS IN AWARDED CONTRACT NO. TA02-MPR TO PROVIDE MARKETING AND PUBLIC RELATIONS SERVICES TO CARMEN MORRIS & ASSOCIATES AND CREATIVE IDEAS ADVERTISING, INC. JOINT VENTURE

Ms. Fernandez stated that it was staff's recommendation to approve the BCC's action in awarding contracts to Carmen Morris & Assoc., Inc., and Creative Ideas, Inc. Joint Venture, and Kelly Swofford Roy, Inc, to provide marketing and public relations services to MDT. At the request of the External Affairs Committee, the item was removed from the CITT's February 25, 2004, agenda.. After several meetings with MDT regarding the scope of services, the items were reconsidered and approved by the External Affairs Committee on March 16, 2004. The Committee also requested additional information, which has been provided and distributed in the agenda package. In addition, the committee passed a motion requesting the submission of the documentation with agenda item 8C, relating to MDT's good faith expression of providing a marketing plan and budget to the External Affairs Committee and the full Board.

8C RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) ACKNOWLEDGING MDT'S AGREEMENT TO PROVIDE A MARKETING PLAN AND EXPENDITURE BUDGET TO THE CITT'S EXTERNAL AFFAIRS COMMITTEE

Mr. Cosgrove requested a motion to approve 8A. Mr. Moss moved its approval, which was seconded by Mr. Lorenzo, and carried without dissent.

Mr. Cosgrove requested a motion to approve 8C. Mr. Moss moved its approval, which was seconded by Mr. Abrams, and carried without dissent.

Mr. Cosgrove requested a motion to approve 8B. Mr. Reeder moved its approval, which was seconded by Mr. Kelly, and carried without dissent.

Mr. Cosgrove requested a motion to approve 8C. Mr. Moss moved its approval, which was seconded by Mr. Abrams, and carried without dissent.

8E RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) RECOMMENDING TO THE BOARD OF COUNTY COMMISSIONERS (BCC) THAT THE NEIGHBORHOOD IMPROVEMENTS SECTION OF THE PEOPLE'S TRANSPORTATION PLAN BE AMENDED TO INCLUDE ROADWAY SIGNAGE, ROADWAY LIGHTING, PAVEMENT MARKINGS AND TRAFFIC CALMING, AND AMEND THE PEOPLE'S TRANSPORTATION PLAN ACCORDINGLY

Ms. Fernandez noted that it is staff's recommendation to recommend to the BCC an amendment to the PTP to add "roadway signage, roadway lighting, pavement markings and traffic calming" to the Neighborhood Improvements section of Exhibit 1 of the PTP, with the understanding that the level of non-PTP funding for these activities will continue at or near current funding levels. A legal opinion from the County Attorney's Office was solicited to confirm whether or not these activities are eligible as "stand-alone" activities under the PTP as currently written and, further, whether this is an eligible activity under the applicable state statute for funding from transit surtax proceeds. The department is not requesting additional funding and has submitted its current level of services and funding for those activities.

Mr. Wilde stated that he understood that, per the information provided by the PWD, the level of non-surtax funded activity prior to the passage of the PTP would continue. He further acknowledged that there is no requirement in the Ordinance for maintenance of effort on anything other than for MDT. However, Mr. Wilde suggested that the CITT should only consider amendments to the PTP of this nature when the CITT is

assured that PWD and the County will continue its current level of effort/funding, or otherwise the PTP could end up funding all the street signs in the County from the surtax proceeds.

Mr. Libhaber added that the resolution before the Trust is initiated by the Trust; therefore, it can be modified and then forwarded to the BCC for consideration.

Mr. Moss clarified that what is being requested is not to approve funding, but rather the concept that funds could be used for those activities. When the PWD presents its Two-Year Plan and cannot demonstrate the maintenance of effort, the Trust could choose not to approve its Plan until they do so. Ms. Fernandez clarified that it was staff's intent to ensure that requests for funding in the future be analyzed to confirm continued non-surtax funding for these activities.

Mr. Tinder mentioned that the department attends yearly Community Council meetings with the budget office, at which different priorities are set, and based on those priorities the funding levels may change on a yearly basis to address the areas of need.

Mr. Moss moved to approved item 8E. The motion was seconded by Mr. Kelly. The motion was approved with one dissenting vote: Mr. Wilde.

(Mr. Givens excused himself at 1:00 p.m.)

8F RESOLUTION ACCEPTING THE MDT ANNUAL WORKPLAN FOR FY 02-03 AND PORTIONS OF THE FY 03-04 ANNUAL WORKPLAN FOR THE USE OF CHARTER COUNTY TRANSIT SYSTEM SURTAX (SURTAX) PROCEEDS

Ms. Fernandez stated that it is staff's recommendation to approve MDT's annual Surtax Work Plan for FY 02-03 and portions of the MDT Annual Surtax Work plan for FY 03-04. She indicated that the total for FY 02-03 is \$42,852,525 and for FY 03-04 a total of \$34,343,607. She stated that the list of MDT's expenses have been included in the agenda package.

Mr. Braynon moved to approve item 8F. The motion was seconded by Mr. Abrams and carried without dissent.

NEW BUSINESS

None

CITIZEN'S COMMENTS

Yvonne MacDonald, Director for the Urban Empowerment Corporation, thanked the members for their support of the Grand Avenue project. She stated that the community has been diligently working on it for the past seven years.

Mr. Libhaber reminded the members that the "Cone of Silence" goes into effect at the moment an advertisement is placed pursuant to BCC approval up until the County Manager's recommendation. CITT members may communicate in writing to request information regarding a competitive process, but must copy the Clerk of the Board. The "cone of silence" is lifted once the County Manager makes a recommendation.

AJOURNMENT

The meeting adjourned at 1:10 p.m.

******MINUTES ARE IN SUMMARY FORM******

FOR VERBATIM TRANSCRIPTION OF THIS MEETING PLEASE REQUEST COPIES OF THE TAPE FROM THE CITT OFFICE AT 375-3481

